

THE GOVERNMENT OF THE KYRGHYZ REPUBLIC

House of Government, Bishkek

RESOLUTION

February, 3, 1997, # 51

**Issues connected with the Ministry of Agriculture and Water Resources of the
Kyrghyz Republic**

In fulfilment of President's Decree of December, 2, 1997 "On reorganisation of central bodies of executive authorities" the Government of the Kyrghyz Republic **decrees** :

1. To approve proposed Regulations on the Ministry of Agriculture and Water Resources and its management.
2. To determine utmost number of employees of the central apparatus of the Ministry of Agriculture and Water Resources in quantity of 123 units (this number does not include personnel for service of the building) with Pay-roll Fund in the amount of 1872.0 thous. KS for one year.
3. To appoint three Deputy Ministers, one of them is First Deputy Minister, and nine members of Collegium.
4. Minister of Agriculture and Water Resources shall approve structure and list of the staff of the central apparatus within agreed number of employees and Pay-roll Fund.
5. To invalidate Resolution of the Government of the Kyrghyz Republic of August, 5, 1996 # 358 "Issues connected with the Ministry of Agriculture and Water Resources of the Kyrghyz Republic " and # 372 "Issues connected with the Ministry of Agriculture and Food of the Kyrghyz Republic".

Prime Minister

A. Jumagulov

**Approved by
the Government of
the Kyrgyz Republic
of _____ 1997**

REGULATIONS

February, 3, 1997, # 51

ON MINISTRY OF AGRICULTURE AND WATER RESOURCES OF THE KYRGHYZ REPUBLIC

I. GENERAL

1. Ministry of Agriculture and Water Resources of the Kyrgyz Republic (hereinafter referred to as MAWR) is the central body of the state executive power implementing unified policy in agriculture and water management, processing industry, irrigation of lands, management of Water Fund, in preparing designs, construction and operation of irrigation systems and facilities.

MAWR implements agrarian and water management policy of the Government of the Kyrgyz Republic, aimed at further increase of production of goods and their competitiveness.

2. In its activities MAWR is guided by the Constitution of the Kyrgyz Republic, laws of the Kyrgyz Republic, Resolutions of the Legislative Assembly and Assembly of Peoples' Representatives of Jogorku Kenesh of the Kyrgyz Republic, Presidential decrees, Resolutions and orders of the Government of the Kyrgyz Republic, given Regulation and keeps productional, financial and economic independence.
3. MAWR organise development and fulfilment of legal issues in connection with its activities, prepare proposals on improvement and submit them in the established order for consideration of the Government of the Kyrgyz Republic.
4. MAWR is a title holder and manager of budget funds as well as other accumulating funds assigned to it for the development of agriculture and irrigation or transferred to its account from other sources.
5. MAWR is not responsible for obligations of the companies and enterprises which are under the Ministry of Agriculture and Water Resources, they, in their turn, are not responsible for any obligations of MAWR .
6. MAWR is allowed to establish and have its own funds : development fund, insurance fund, hard currency fund and other, which are established by MAWR and the companies and enterprises which are under the Ministry. Residues of funds not

used by the end of a year are not liable for withdrawal and transferred to the next year.

7. MAWR could become an associated member of other state and interstate structures.
8. MAWR is a juridical person, has its own stamp with the coat of arms of the Kyrgyz Republic and its title in Kyrgyz and Russian.
9. Main tasks of MAWR are :

- implementation of Land and Agrarian Reform, water management reform, assistance in establishment of peasant farms and other types of farms with different property types, state support of rural and water entrepreneurship;
- development and formulation of agrarian and water policy, perspectives, forecasts, drafts of development programs for agriculture and water resources, processing industry of MAWR , social issues in rural area;
- state management and regulation of Water Fund on the basis of developed and approved Regulations, Rules and Instructions;
- interstate distribution of water resources;
- control for observation of legislation in such branches as veterinary, quarantine and plant protection, quality control, seed breeding and livestock breeding;
- establishment of complex use of water resources in national economy on the basis of rational distribution with taking into account requirements of water using and economic expediency;
- control and analysis of effectiveness of consultations for agricultural production;
- attraction of private, state and foreign investments for increase of production and introduction of new technologies;
- development of state policy of foreign trade; investigation of new foreign markets for agricultural products; development of forecasts for agricultural production; formulation of State Reserve Fund for agricultural resources and food-stuffs;
- organisation of technical operation of state irrigation network, irrigation units for their more effective usage; reduction of organisational and technical losses of water resources, technical service of irrigation fund in accordance with the contracts with water users;
- implementation of measures for effective integration with other CIS countries.

10. Together with state oblast and raion administrations MAWR implements :

- establishment of training, advisory and information centres on the basis of oblast and raion agricultural departments for training of farmers, peasants and other economic entities;
- increase of effectiveness agricultural production for the sake of introduction of new technologies and provision of agriculture with new recommendations and information on research.
- provision of effective measures for maintenance, improvement and reorganisation of water economy objects in accordance with their technological purpose;
- implementation of unified scientific and technological policy in mechanisation, irrigation, improvement of economic relations of agriculture and water economy and relations with other branches of national economy;
- coordination of activities in improvement of seed breeding and livestock breeding; distribution of high productive varieties of agricultural crops and valuable breeds of animals;
- observation of procedures and conditions of privatisation and demonopolisation of agricultural and water economy companies and organisations;
- establishment of advisory services for private farms on different issues of production, management, marketing, financial and credit activities.

II. Functions of the Ministry of Agriculture and Water Resources

In accordance with the above mentioned aims MAWR fulfils the following functions :

- establishment of zootechnical, veterinary, mechanised, agro chemical, irrigation and other services for peasant farms, agricultural cooperatives, associations and other amalgamations, private entrepreneurs in agriculture and water economy;
- establishment and use of new types of analysis, such as modelling of crop production and livestock production, providing them with resources as well as with calculations on price indices and coefficients of production volumes;
- provision of economic entities with information concerning market prices for resources and goods, including information on possibilities of export and import of commodities and services;
- systematic activities on transactions with State cadastre of irrigation systems; development of proposals for improvement of their technical level;

- establishment of state control for water use, organisation of activities on arranging payments for use of water from state irrigation network, together with related ministries and organisations;
- determination of normative and limits of water consumption for water users irrespectively of their structural subordination and types of property; state control for rational and effective use of water;
- organisation of development of water economy balances, schemes of complex use of water resources for basins of separate rivers, irrigation systems, raions and republic as a whole;
- issuing of documents on availability of water resources, which have legal power for design, construction of new and reconstruction of existing companies, related to use of water resources;
- monitoring of water units together with other state bodies;
- management of lands from State Land Fund specially assigned for water economy units;
- issue and cancellation of licences for water use, for implementation of design and prospecting and construction works, connected with utilisation of water resources;
- development of programs and implementation of projects financed by foreign donors;
 - organisation of activities on plant protection, preventive measures and treatment of animals, protection of land and water resources;
 - establishment and coordination connections with foreign organisations and their representatives for scientific and economic cooperation, practical observation of obligations, agreement of action plans; conduction of measures in the framework of signed agreements, protocols and contracts;
 - support for export of agricultural goods (for Association of agricultural commodity producers, JSCs, agricultural cooperatives and peasant farms), search of additional possibilities for increase of export;
 - establishment of international scientific and economic contacts in accordance with agreements, selection of specialists from MAWR for training them abroad, for participation in exhibitions, seminars and conferences;
 - establishment of activities on provision of safe conditions of labour, analysis of reasons of industrial injuries and implementation of preventive measures.

III. Rights of the Ministry of Agriculture and Water Resources

- define a perspective range of pesticides and other agents for registration and expansion of their use;
- make a state registration of agents and in coordination with the Ministry of Agriculture and Water Resources, Ministry of Health Care, Ministry of Environment State Forest Agency, State Inspectorate on Standardisation and Metrology approve the list pesticides, biological agents, pheromones and plant and forest growth regulators allowed to use in agriculture and forestry of the Kyrgyz Republic and list of chemical and biological agents for sale to population with obligatory rules of application for all nature users regardless of their ownership, and other methodological and normative documents;
- introduce changes into the list of pesticides and other agents, technology of their application depending on environment situation in regions of their use and new data on the results of survey;
- make decisions on termination of registration and application of agents if their adverse effect on human health and environment is revealed or new data on danger of these agents application (not known or not declared by an applicant before the registration) are obtained. An applicant bears the responsibility for effect of agents on human health and environment as provided for by the applicable legislation of the Kyrgyz Republic;
- approve, in coordination with the ministries, state committees and other central executive bodies concerned, unified methodological instructions, regulations on conduction of registration testing and registration;
- determine programmes and conductors of survey works on competition base. A conductor bears full responsibility for accuracy and reliability of presented surveys;
- register agents for a period not more than 5 years. When the term expires, the agents are to be re-registered in the established order and with the allowance to the accumulated new information about their properties and efficiency;
- coordinate demonstration testing of new registered plant control agents and technologies of their application with the companies - producers and organisations;
- allow scientific establishments and other organisations to get samples of pesticides and chemical standards of active agents received from applicants for testing free of charge;
- reach agreements with applicants and executors of agreement on conducting and financing of testing;

- collect dues from applicants for registration of pesticides at the rate coordinated with the Department of Chemicals and Plant Protection of the Ministry of Agriculture and Water Resources;
- render paid informative and legal services on contract basis;
- resources gained from the registration and paid services are earmarked for obligatory payment, as the legislation provides, of activity of the Commission, of external experts, publishing of the list of registered agents and special literature, staff training, organisation and participation in international actions on issues of terms of production and registration of agents;
- enjoy the right to control organisations and commodity producers with different ownership in their registration and demonstration testing of pesticides and other agents;
- organise and participate in seminars, conferences relevant to the rules of application of pesticides and other agents, introduce proposals on settlement of issues to the ministries, state committees and other central bodies concerned;
- issue handbooks, booklets and other special literature on issues of plant protection and regulations on agents application.

The Commission is obliged:

- not less than once a year to submit the information (having a binding character) to the ministries, state committees and other central executive bodies concerned of the Kyrgyz Republic about changes in registration of agents with the object of preventing import and application of forbidden and harmful for human health and environment pesticides and other agents;
- promotion of rational and safe methods of application of pesticides and other agents;
- terminate agreement and claim for compensation if the procedure of registration testing is infringed;

The Commission is a legal entity and has its account in bank establishments and seal of a standard pattern with its name in both Kyrgyz and Russian, forms and registration certificates.

The Commission is headed by the Chairman - Deputy Head - Head of Directorate of Plant Protection of the Department of Chemicals and Plant Protection of the Ministry of Agriculture and Water Resources appointed by the Minister of Agriculture and Water Resources in coordination with the Head of the Department of Chemicals and Plant Protection.

The Chairman of the Commission bears personal responsibility for fulfilment of functions and tasks he is entrusted with.

III. RIGHTS of the MAWR

MAWR has the right :

- within its competence to adopt normative acts and resolutions issued in the type of Ministerial orders, resolutions of the Collegium of the Ministry, which should be observed by all companies and units of MAWR ;
- to develop and submit for consideration of the Government of the the Kyrgyz Republic drafts of resolutions and orders of the Government on issues related to agriculture and water economy, as well as other issues connected with activities of MAWR;
- to establish minimum financial reserves;
- to establish, reorganise and liquidate organisation and companies in case of necessity;
- to sign agreements on leasing of companies (amalgamations, organisations and units of the Ministry system);
- to get information for clearance of water use, to visit companies, organisations and other objects related to water use, to implement examination of the status of water use;
- to get from state organisations free of charge information on issues connected with use of water resources;
- to call persons to administrative account for violation of legislation in the agreed order;
- to require from organisations and private persons observance of regulations and normative acts connected with water use within competence of MAWR;
- to develop and approve instructions on use of water resources from natural sources. Instruction should be observed by all types of companies - water users irrespective of their property type;
- to study and analyse the state of agriculture and water economy, to prepare evaluation of the development of agrarian and water economy sector in oblasts and raions;
- to listen to reports of heads of Directorates and companies on the results of their activities, their balances; to adopt decisions on make them answer for violations of discipline and failure to ensure implementation of Regulations or contracts up to relieved of their posts.

IV. Organisation of work in MAWR

MAWR is headed by the minister, who is appointed and relieved of his post by the President of the Kyrgyz Republic after consultation with the Prime minister of the Kyrgyz Republic.

First Deputy Minister and Deputy Ministers are appointed relieved of their posts by the Prime minister of the Kyrgyz Republic after submission of his candidature by the Minister of MAWR.

Distribution of responsibilities between his Deputies is done by the Minister.

Minister is personally responsible for implementation by the Ministry of Agriculture and Water Resources of tasks and responsibilities, development of effective agrarian and water use policy; increase of agricultural production and its quality; supply population with food-stuffs; Minister determines responsibilities of his deputies, heads of Directorates and departments and is responsible for management of the Ministry of Agriculture and Water Resources in accordance with existing legislation; Minister appoints and relieved key persons of MAWR and its subdivisions of their posts.

Heads of Agricultural Departments are appointed by the Minister in the established order.

Once a year on the Collegium Minister listens to the reports on implementation of Land and Agrarian Reform and other issues of agrarian policy.

Collegium of the Ministry of Agriculture and Water Resources is established. Collegium consists of 9 people. Minister is a Chairman of the Collegium, other members are : Deputies (by post) and leading employees of the Ministry.

Maximum number of staff of the Ministry and members of Collegium is determined by the Government of the Kyrgyz Republic.

Members of the Collegium of MAWR personally is approved by the Prime minister of the Kyrgyz Republic after submission of their candidatures by the Minister.

Collegium of MAWR on its regular meetings considers the most important problems of development of its branches.

Decisions of the Collegium are adopted by a majority vote and are implemented after issuing of resolutions and orders of the Minister.

In case of dismissal of the Collegium members (apart from those, who are members of Collegium according with their post) this decision should be agreed with the the Prime minister of the Kyrgyz Republic.

Minister approves the structure and responsibilities of the central apparatus staff of the Ministry of Agriculture and Water Resources.

